



Focus

Washington's Water Resource

Capture and Reuse of Irrigation Water

Background

The capture and reuse of irrigation water is a recognized water conservation measure, and the Department of Ecology identifies the capture and reuse of irrigation water as a limited right of water right holders.

Water users are allowed to capture irrigation water return flows (runoff) at the lower end of their fields and reuse this water on the same fields for irrigation. The capture and reuse of irrigation water is an efficiency measure which allows water users to achieve maximum beneficial use of their water. Such efficiency can improve a poor or inadequate water supply situation for water users. It can also reduce the amount of water that water users must divert from the stream or other water sources over the course of the year. This can provide more water to satisfy other water rights and instream flows in streams.

What is Needed for "Capture and Reuse"?

Water users must have valid water rights for their water uses, including one of the following:

- A state-issued water right permit or certificate;
- A valid water right claim on file with the Department of Ecology;
- A Federal Reserved Right (Winters Doctrine right);
- Water purchased from an irrigation district (the district must have valid water rights) or;
- A water use which is exempt from the state permitting system. For irrigation purposes, this exemption is limited to the withdrawal of 5,000 gallons of water per day from a well for the irrigation of no more than 1/2 acre of lawn or non-commercial garden.

The Guidelines for "Capture and Reuse"

Water users may capture their irrigation water return flows at the lower end of their fields and reuse the water for irrigating the same fields. The capture and reuse systems must collect only irrigation return flows from the fields. The water user cannot capture natural shallow ground water, natural spring water, or other natural surface water. Any collection and use of such public waters would require a state-issued water right for that purpose.

Water users must use their "capture and reuse water" only for the purpose(s) authorized by their **water** right(s) and only on the acreage where the water was originally applied. A water user may not use captured water to expand and irrigate new acreage. Such use is not "reuse," it is "new use." Proposed expansions must first be authorized by a new state-issued water right or by the purchase of additional water from an irrigation district. Changes in place of water use must be authorized by Ecology. Irrigation of land without a water right (unauthorized acreage or expansion acreage) is illegal because it violates either the state Surface Water Code or the state Ground Water Code. Illegal water users are subject to state regulatory action and penalties.

Furthermore, an individual water right holder's runoff water becomes public water once it flows outside the boundaries of the authorized place of water use. Collection and use of these public waters would also require a state-issued water right.

Illegal Water Use: An Example

Following is an example of an illegal water use practice within an irrigation district:

A water user installs a capture and reuse collection system, then decides to sell some of his/her irrigation district water rights or water shares to reduce water costs (overhead). The water user believes that he/she can continue to irrigate the same number of acres by utilizing "capture and reuse water." The problem is that the purchaser of the district rights or shares brings new acreage under irrigation, the original water user continues to irrigate all of the former irrigated lands, and the irrigation district's service area is illegally expanded by a number of acres. This represents a violation of the acreage limitation of the irrigation district's water right, may result in district water shortages, violates the state water code requirement that all water right changes (like place of use) be approved by Ecology, and makes the district and the individual subject to possible regulatory action by the state.

Illegal expansion consumes public water that otherwise would be available to satisfy existing water rights, to maintain instream flows, or to recharge ground water. Illegal water use hurts water users and all beneficiaries of the public water resources of Washington State.

For More Information

To find out more about the capture and reuse of irrigation water, please contact the regional office nearest you.

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